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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/351,723	07/12/1999	ROBERT C. WOHLSEN	1094	1138

7590 04/17/2003

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[REDACTED] EXAMINER

AZAD, ABUL K

ART UNIT	PAPER NUMBER
2654	22

DATE MAILED: 04/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No.	Applicant(s)	
	09/351,723	WOHLSEN ET AL.	
	Examiner	Art Unit	
	ABUL K. AZAD	2654	
<u>-The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</u>			
<p>THE REPLY FILED 11 March 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.</p>			
<u>4 PERIOD FOR REPLY [check either a) or b)]</u>			
<p>a) <input checked="" type="checkbox"/> The period for reply expires <u>3</u> months from the mailing date of the final rejection.</p> <p>b) <input type="checkbox"/> The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).</p>			
<p>Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</p>			
<p>1. <input type="checkbox"/> A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.</p>			
<p>2. <input type="checkbox"/> The proposed amendment(s) will not be entered because:</p> <ul style="list-style-type: none"> (a) <input type="checkbox"/> they raise new issues that would require further consideration and/or search (see NOTE below); (b) <input type="checkbox"/> they raise the issue of new matter (see Note below); (c) <input type="checkbox"/> they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) <input type="checkbox"/> they present additional claims without canceling a corresponding number of finally rejected claims. 			
<p>NOTE: _____.</p>			
<p>3. <input type="checkbox"/> Applicant's reply has overcome the following rejection(s): _____.</p>			
<p>4. <input type="checkbox"/> Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).</p>			
<p>5. <input checked="" type="checkbox"/> The a)<input type="checkbox"/> affidavit, b)<input type="checkbox"/> exhibit, or c)<input checked="" type="checkbox"/> request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet</u>.</p>			
<p>6. <input type="checkbox"/> The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.</p>			
<p>7. <input type="checkbox"/> For purposes of Appeal, the proposed amendment(s) a)<input type="checkbox"/> will not be entered or b)<input type="checkbox"/> will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.</p>			
<p>The status of the claim(s) is (or will be) as follows:</p>			
<p>Claim(s) allowed: _____.</p>			
<p>Claim(s) objected to: _____.</p>			
<p>Claim(s) rejected: _____.</p>			
<p>Claim(s) withdrawn from consideration: _____.</p>			
<p>8. <input type="checkbox"/> The proposed drawing correction filed on _____ is a)<input type="checkbox"/> approved or b)<input type="checkbox"/> disapproved by the Examiner.</p>			
<p>9. <input type="checkbox"/> Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). <u>Marsha D. Banks-Harold</u></p>			
<p>10. <input type="checkbox"/> Other: _____</p>			
<p>MARSHA D. BANKS-HAROLD SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2600</p>			

Continuation of 5. does NOT place the application in condition for allowance because: In response to applicant's traversal of the rejection under 35 U. S. C § 112, second paragraph the examiner notes that the term "voice recognition" is misused for what nowadays is called - - speech recognition- - in the speech processing art. While "voice recognition" and "speech recognition" were both once used interchangeably to refer to spoken word recognition, nowadays the terms are distinguished. The term "voice recognition" now denotes identification of who is doing the speaking (class 704/246), while "speech recognition" (or "word recognition") denotes identification of what is being said (class 704/231 and 704/251). So, appropriate correction to the proper terms of art is required. Where, applicant really mean -speaker-independent speech recognition- - when referring to "speaker-independent voice recognition", which is what also Schier intends in the cited section.

In response to other arguments the examiner notes that claims 23-43 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Schier in view of well-known prior art. Where as per Official Notice the examiner wants to refer Kanevsky et al. (US 5,897,616), which is cited by examiner at PTO-892, paper No. 4, teaches the limitations which is not taught by Schier. Where Kanevsky teaches, narrow down the initial list of potential speakers to be identified to a smaller "sub-list of speaker candidates, having indicia substantially matching the speaker" (abstract), for details explanation see col. 4, lines 1-25.